## TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

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surprised that, from what I can understand, why Senator Vrtiska didn't describe a four-year-old jacket as new? (Laughter) That would...and I also noticed that he said he'd only experienced one fire incident, and I guess I haven't done that. From what I understand my main involvement with a fire incident is probably yet to come, but we won't go into that. Senator Coordsen, if I could ask you a question.

SENATOR CUDABACK: Would you yield, Senator Coordsen?

SENATOR RAIKES: Is it the case that what we're doing here is sort of shifting a burden of proof? Under the current system it is the homeowner's responsibility to...to show the insurance company that this was the amount of the loss. Under this proposal it would basically be that the insurance company is required to show that it had good reason for paying less than the full value of the loss. Not of the loss, but of the...of the amount that could be claimed? Again, let me, if...if you understand enough of what I said to respond, please do so. If not I'll...

SENATOR COORDSEN: All right. Well, I was waiting for the multiple cap rates question to come along. (Laughter). But the...this is in the prohibited practices, and there is no less nor no more burden, I think, for either of the parties involved, except that it provides for a more well-defined oversight by the Department of Insurance into claims, either those that have been settled, where the investigators when they...when they go through the books and records of an insurance company, would look for patterns of...of not settling, or to respond to consumer complaints. This...

SENATOR RAIKES: But (inaudible)...

SENATOR COORDSEN: ...does not really take from the policyholder the necessity for...for inventorying their loss, if they're asked to do that by the insurance company.

SENATOR RAIKES: But isn't the effect of this to...to put in the hands of the Department of Insurance, or the regulators, the opportunity to ask a question of the insurance company: Look,